

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA**

Alexis Benson, on behalf of minor child K.C., and Kevin Carberry, Sr., on behalf of minor child, K.C.,	)	C/A No.: 0:22-614-SAL-SVH
	)	
	)	
	)	
Plaintiffs,	)	
	)	
	)	
vs.	)	
	)	
Fort Mill Schools/ York County School District 4; Amy Maziarz; Kristy Spears; Michele Branning; Anthony Boddie; Wayne Bouldin; Scott Frattaroli; Celia McCarter; Brian Murphy; James Epps; Savannah Stager; Emma Sheppard; LaVonda Williams; Brittney Koback; Jennifer Grant; and Douglas Dent,	)	ORDER AND NOTICE
	)	
	)	
	)	
Defendants.	)	
	)	

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Alexis Benson and Kevin Carberry,<sup>1</sup> on behalf of their minor child, K.C.,<sup>2</sup> (“Plaintiffs”), proceeding pro se and in forma pauperis, filed this action alleging violations of K.C.’s constitutional rights and several other federal statutes. Pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Civ. Rule

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<sup>1</sup> The undersigned notes that Kevin Carberry has not signed the complaint and is subject to dismissal on this basis alone.

<sup>2</sup> To protect the rights of the minor child, the court refers to him by the initials.

73.02(B)(2)(e) (D.S.C.), the undersigned is authorized to review such complaints for relief and submit findings and recommendations to the district judge.

Plaintiffs alleged several causes of action, including negligence, Eighth Amendment violations, violation of Section 504 of the Rehabilitation Act (“Section 504”), 29 U.S.C. § 794, *et seq.*, violations of the Americans with Disabilities Act (“ADA”), 42 U.S.C. § 12101, *et seq.*, and violations of the Individuals with Disabilities Education Act (“IDEA”), 20 U.S.C. § 1400 *et seq.*

Plaintiffs cannot proceed pro se on behalf of K.C.. Plaintiffs do not allege that either is an attorney licensed to practice in South Carolina. While Plaintiffs have the authority to litigate their own claims pro se, *see* 28 U.S.C. § 1654, they do not have the authority to litigate on another’s behalf. *See Myers v. Loudoun Cnty. Pub. Schs.*, 418 F.3d 395, 401 (4th Cir. 2005) (“[N]on-attorney parents generally may not litigate the claims of their minor children in federal court.”); *Oxendine v. Williams*, 509 F.2d 1405, 1407 (4th Cir. 1975) (“[W]e consider the competence of a layman representing himself to be clearly too limited to allow him to risk the rights of others.”).

Plaintiffs are permitted until March 24, 2022, to find counsel licensed in this court to represent K.C.. Plaintiff may contact the South Carolina Bar’s referral service for more information. If no attorney files a notice of appearance in this case by March 24, 2022, this case may be dismissed.

IT IS SO ORDERED.

March 3, 2022  
Columbia, South Carolina



Shiva V. Hodges  
United States Magistrate Judge